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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/607,102	06/25/2003	Lutz Rosenpflanzner	13907-058001/2003E00251	3609
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FISH & RICHARDSON, P.C. PO BOX 1022 MINNEAPOLIS, MN 55440-1022			EXAMINER HILLERY, NATHAN	
			ART UNIT 2176	PAPER NUMBER

DATE MAILED: 08/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/607,102

Applicant(s)

ROSENPFANZER ET AL.

Examiner

Nathan Hillery

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 July 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>7/25/05, 11/10/03</u> . | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

1. This action is responsive to communications: IDS filed on 7/25/05.
2. Claims 1 – 21 are pending in the case. Claims 1 and 15 are independent.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 – 21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

5. **Regarding independent claim 1**, it is unclear what applicant means by the expressions "customization setting" "customization" and "customized", since they are not generally known technical terms in the field of computing systems and are not defined in the claims. Therefore, all subsequent recitations of these terms are also rejected. For the purpose of this examination, the expression "customization" has been interpreted as a synonym for "representation of information" and "customization setting" as a synonym for "specification of representation of information" while the attribute "customized" has been ignored. The related terms ("customization setting" "customized") are interpreted accordingly.

6. **Regarding independent claims 1 and 15**, applicant attempts to define the subject-matter in terms of the result to be achieved which merely amounts to a statement of the underlying problem, i.e. "mapping the customized format of the data variable in the first data processing system to the customized format of the data variable

in the second data processing system"). The same applies to the corresponding computer program product claim 15.

7. **Regarding independent claim 15**, it is unclear what applicant means by changing the data variable "separately from any change to the data structure" (line 9), since it attempts to define the subject-matter in terms of the result to be achieved and of a negative limitation. Furthermore, this limitation appears to be inconsistent with other parts of the claim (line 4, "receive a data variable in a data structure ... " and line 8, "change the data variable ..."), since it is not clear how a data variable in a data structure can be changed separately from any change in the data structure. Consequently, claim 15 and its dependent claims will be rejected as being substantially similar to claims 1 – 14.

8. **Regarding dependent claims 2 – 14 and 16 – 21**, the claims are rejected for fully incorporating the deficiencies of the base claim(s) from which they depend.

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claims 1, 2, 4, and 9 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over MICROSOFT (BizTalk Server [as cited by Applicant]) and in further view of MOHR ET AL. (BizTalk Mapper [as cited by Applicant]).

11. **Regarding claims 15 – 21**, the claims incorporate substantially similar subject matter as claims 1 – 14, and are rejected along the same rationale.

12. **Regarding claims 1 and 9**, MICROSOFT teaches that a map identifies how data in one format is to be rendered in another format. A map requires two specifications: one is the source, and the other is the destination (paragraph 1, lines 1 – 2), compare with **receiving information identifying a first customization setting, the first customization setting describing a customized representation of information in a data variable in a first data processing system; receiving information identifying a second customization setting, the second customization setting describing a customized format of the data variable in the second data processing system.** MICROSOFT also teaches that Mapping data is a data- translation process in which you define the correspondences between the records and fields in the source specification and the records and fields in the destination specification (paragraph 1, lines 2 – 4) and that By combining these elements, you can easily map data between a source specification and a destination specification (paragraph 3, lines 2 – 3), compare with **mapping the customized format of the data variable in the first data processing system to the customized format of the data variable in the second data processing system, and changing the customized format of the data variable in the first data processing system to the customized format of the data variable in the second data processing system..** MICROSOFT does not explicitly teach **data variable**. However, MOHR ET AL. teaches that Defining how one message format translates - or maps - to another, is a critical task ... It is a graphical editor that displays

two specifications, the source and the destination ... (page 1, paragraph 1) and that ... when mapping between message specifications is- required, the runtime server process can apply the appropriate stylesheet to perform the appropriate message mapping (page 2, lines 22 – 24), compare with **data variable**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the disclosure of MICROSOFT with that of MOHR ET AL. because such a combination would provide the readers of MICROSOFT with details about a system implementing the data-mapping method disclosed in MICROSOFT.

13. **Regarding dependent claims 2 and 4**, MOHR ET AL. teaches that *when the desired mapping is complete, a programmer compiles the map using the Mapper. This results in an XML transformation (XSLT) stylesheet* (page 2, lines 21 – 23), compare with **mapping the customized format of the data variable comprises establishing machine-readable instructions for changing the customized format of the data variable in the first data processing system to the customized format of the data variable in the second data processing system, and establishing machine-readable instructions comprises establishing an extensible stylesheet language (XSL) file that describes how to change the customized format of the data variable**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the disclosure of MICROSOFT with that of MOHR ET AL. because such a combination would provide the readers of MICROSOFT with details about a system implementing the data-mapping method disclosed in MICROSOFT.

14. **Regarding dependent claims 10 – 14, neither MICROSOFT nor MOHR ET AL. explicitly teach receiving a trigger for the mapping of the data variable from a user, the trigger identifying a data object class that includes the data variable, storing the results of the mapping in a collection of mapping results for other data variables, receiving information identifying the first customization setting comprises receiving instructions for locating the first customization setting in the first data processing system, receiving information identifying the first customization setting comprises receiving the first customization setting, receiving instructions for data interfacing with the first data processing system; and adding the interfacing instructions to the results of the mapping.** However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be notoriously well-aware that these additional features consist only of implementations details typical of an application program or user interface. Specifically, the skilled artisan would be motivated to modify and/or use the disclosed invention(s) to have the data-mapping operation triggered by a user so that the operation is only performed when the user would like it performed as is well-known throughout the art; to store the results possibly complemented by the data interfacing instructions so that the user would have a copies of the original data and the new data as is well-known throughout the art; to locate a customization setting by appropriate instructions so that the user would not be confused and frustrated about searching for it themselves as is well-known throughout the art; to pass the customization setting by value so that only the current value will be used as is well-known throughout the art.

15. Claims 3, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over MICROSOFT and MOHR ET AL. as applied to claims 1, 2, 4, and 9 – 21 above, and further in view of W3C (XSLT [as cited by Applicant]).

16. **Regarding dependent claims 3, 7, and 8**, neither MICROSOFT nor MOHR ET AL. explicitly teach **establishing machine-readable instructions comprises establishing a criterion for identifying the data variable in a first data structure, establishing machine-readable instructions comprises establishing instructions for identifying the data variable in a data structure, and establishing instructions for identifying the data variable comprises establishing an Xpath expression for identifying an object of an object class that includes the data variable**. However, it would have been obvious to one of ordinary skill in the art at the time of the invention to be well aware that if the data variable to be mapped is part of a larger data structure, it must be identified in that data structure. Also, in the context of XSL transformations (XSLT), the use of Xpath expressions is well-known to those of ordinary skill in the art as a way to achieve such functionality, as is further evidenced by W3C, which teaches that *XSLT makes use of the expression language defined by (XPath) for selecting elements for processing...*(page 4, paragraph 3), compare with **establishing machine-readable instructions comprises establishing a criterion for identifying the data variable in a first data structure, establishing machine-readable instructions comprises establishing instructions for identifying the data variable in a data structure, and establishing instructions for identifying the data variable**

comprises establishing an Xpath expression for identifying an object of an object class that includes the data variable. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the combined disclosure of MICROSOFT and MOHR ET AL. with that of W3C because such a combination would provide the readers of MICROSOFT and MOHR ET AL. with W3C's detailed recommendation, which specifies XSLT transformations.

17. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over MICROSOFT and MOHR ET AL. as applied to claims 1, 2, 4, and 9 – 21 above, and further in view of REEUWIJK (TM [as cited by Applicant]).

18. **Regarding dependent claim 5**, neither MICROSOFT nor MOHR ET AL. explicitly teach **establishing machine-readable instructions comprises: receiving a framework for instructions; and inserting instructions into the framework.**

However, REEUWIJK teach that *Tm code generation is based on templates: source texts for the target programming language interspersed with text-substitution and repetition commands for Tm* (page 900, lines 4-5) and that *Using the templates and the data-structure definitions, code can be generated ...* (page 900, line 12), compare with **establishing machine-readable instructions comprises: receiving a framework for instructions; and inserting instructions into the framework.** It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the combined disclosure of MICROSOFT and MOHR ET AL. with that of REEUWIJK

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because such a combination would provide the readers of MICROSOFT and MOHR ET AL. with a code generator for recursive data structure software.

19. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over MICROSOFT and MOHR ET AL. as applied to claims 1, 2, 4, and 9 – 21 above, and further in view of GRAHAM ET AL. (Sigplan Symposium [as cited by Applicant]).

20. **Regarding dependent claim 6**, neither MICROSOFT nor MOHR ET AL. explicitly teach **establishing machine-readable instructions comprises selecting a germane instruction for transforming the customization of data from a collection of instructions for transforming the customization of data**. However, GRAHAM ET AL. teach ... an approach to code generation in which instructions are selected by a pattern-matching process that chooses instructions from a table ... (page 32, lines 16-19), compare with **establishing machine-readable instructions comprises selecting a germane instruction for transforming the customization of data from a collection of instructions for transforming the customization of data**. It would have been obvious to one of ordinary skill in the art at the time of the invention to combine the combined disclosure of MICROSOFT and MOHR ET AL. with that of GRAHAM ET AL. because such a combination would provide the readers of MICROSOFT and MOHR ET AL. with table driven code generation.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (571) 272-4091. The examiner can normally be reached on M - F, 10:30 a.m. - 7:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NH

William F. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
8/8/2005